File #: 24-1158, **Version:** 1

Planning and Building Department, Planning Services Division, Long Range Planning Unit, recommending the Board:
1) Approve and authorize the Chair to sign Amendment I to Agreement 5912 with Mintier Harnish to assist with creating custom design standards and guidelines in the County's Community Regions (Shingle Springs, El Dorado/Diamond Springs, Cameron Park, and El Dorado Hills) for new Commercial, Mixed-Use, and Multi-Family Residential Design Standards for communities identified in the County's General Plan Policy 2.1.1.1, increasing the budget by $520,001 for a new total amount of $826,616, updating the scope of work, and extending the term of the agreement by 3 years with a new expiration date of January 31, 2028; and
2) Authorize the Purchasing Agent, to execute any further documents determined necessary related to Agreement 5912, including amendments which do not increase the amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: Discretionary Transient Occupancy Tax 26%, Affordable Housing Trust Fund 19%, General Fund 55%.

DISCUSSION / BACKGROUND

Work began on the design standards under this original contract in February 2022. Portions of component 1 were completed including Subtask 1.1.1 *Kickoff Meeting and Shingle Springs Tour*, and Subtask 1.1.2 *Existing and Draft Document/Ordinance Review and County Reconnaissanc*e. Additionally, Subtask 1.2.1 *Create Revised Draft of the Shingle Springs Design Standards* had begun. The Consultant did extensive work on a preliminary draft of the Shingle Springs Community Design Standards, as originally scoped, however the subtask was not completed.

AB 2011 and SB 6 passed in late 2022 and went into effect July 1, 2023. This new housing legislation caused a pause in the work to evaluate how it affected the scope of the project. AB 2011 allows for ministerial, by-right approval for affordable housing on commercially zoned lands, and also allows such approvals for mixed-income housing along commercial corridors. SB 6 does not provide a ministerial approval pathway for projects but does allow residential uses on commercially zoned properties without requiring a rezone.

As a result of the new state housing laws, a qualifying multifamily housing development is allowed on all commercial-zoned parcels. Further, under the provisions of the new legislation, such affordable housing projects must be allowed as a ministerial ("by-right") use with no local design oversight unless a local agency has adopted objective (measurable) design standards applying to such projects.

After approximately 6 months of work, Planning and Building staff and the Consultant mutually agreed to make extensive modifications to the project and scope of work to address the comprehensive changes to state housing law. The County's communities have expressed an overwhelming desire to have design standards in place for multifamily housing projects. The changes to this amended Scope of Work are primarily related to the much broader, complex, and design-

intensive work required to create objective, rather than (typical) subjective, design standards.

Component 1 has been revised to include the addition of an environmental subconsultant to ensure adequate CEQA review. The edits to Component 2 (Commercial and Multi-Family Residential Design Standards for El Dorado/Diamond Springs Cameron Park, and El Dorado Hills) include the same addition of an environmental subconsultant to ensure an adequate CEQA review.

The following changes have been made to Component 1 which includes reworking previously completed subtasks. Subtask 1.1.1 (Overall Project Kickoff Meeting) has been updated to create a new schedule and updated expectations. Task 1.2 (Revised Administrative Draft of the Shingle Springs Community Design Standards) has also been updated to account for revisions necessary as a result of the new state housing legislation and updated development requirements.

A new Task 3 (Conversion of 2015 Mixed-Use Design Guidelines [into objective design standards]) was added in order to convert the existing Mixed-Use Guidelines into objective design standards that will comply with state law and provide community design oversight of qualifying mixed-use projects. An environmental subconsultant was also added to Component 3 to ensure adequate CEQA review.

Lastly, a new Task 4.1 (Project Website, Branding and Ongoing Community Coordination) was added as this project has high public interest. Component 4 ensures high levels of public outreach/community engagement will be maintained throughout the life of project.

In addition to the changes noted above, other minor administrative changes were made to update the agreement to current standard County contract language.

As scoped, the standards for the Shingle Springs Community Region (Component 1) will be completed and adopted first as a lead prototype (example) for the remaining Community Regions which will be completed under Component 2. Following Shingle Springs, design standards for the remaining Community Regions will be completed in the following order: El Dorado/Diamond Springs, Cameron Park and El Dorado Hills. Note that there may be some schedule overlap as each set of standards moves forward through the review and adoption process.

Due to the scope of the project and the specialized knowledge and skills necessary to complete this project and the limited staff time available due to other long-range planning projects underway, we have the need to utilize consulting services with technical expertise in completing the Mixed use, Commercial/Multi-Family Residential Design Standards project.

To reduce costs from the original proposal by the consultant, staff will be managing a related effort to implement Interim Objective Design Standards. As a result of each community's overwhelming desire for County design oversight of multifamily housing projects, the interim design standards would provide a comprehensive set of objective design requirements for multifamily housing projects for the County's West Slope Community Regions and Rural Centers. This will provide a set of standards for each of these individual areas until unique design standards are created for each Community Region through this contract. This provides some level of standards and protection until Community Region-specific design standards are adopted. The Interim Design Standards also give residents an opportunity to see and understand the structure of design standards and the objective language needed to comply with state legislation. The Interim Design Standards will also give communities a "draft" from which to work from, rather than starting from a blank slate. Based on public and staff

interest to implement interim multifamily design standards as rapidly as possible, commercial, and mixed-use standards were not included in the interim standards as adding these components would require significant additional staff time and resources as well as require additional review by decision-makers and the public.

The schedule for Interim Design Standards is:

- August - Planning Commission workshop
- October - Board of Supervisors workshop
- November - Planning Commission hearing
- December/January - Board of Supervisors hearing

As an additional cost-savings measure, this contract does not include developing design standards for the County's 30 rural centers as identified in General Plan Policy 2.1.2.1: Camino, Cedar Grove, Coloma, Cool, Fairplay, Garden Valley, Greenwood, Georgetown, Grey's Corner, Grizzly Flat, Kelsey, Kyburz, Latrobe, Little Norway, Lotus, Mosquito, Mount Ralston, Mt. Aukum, Nashville, Oak Hill, Phillips, Pilot Hill, Pleasant Valley, Pollock Pines, Quintette, Rescue, Somerset, Strawberry, and Chrome Ridge. At the end of this contract, staff will evaluate the need for the consultant to assist with the development of design standards for the rural centers. Staff may decide to conduct the work themselves based on their experience with developing design standards for the Community Regions and availability of staff resources or engage the consultant for some aspects. If the consultant will be used to assist in the development of design standards for rural centers, a contract amendment and revised scope of work will be brought back to the Board of Supervisors for consideration.

It should be noted that this work does not include communities in the Tahoe Basin, however, Long Range planning staff in the Tahoe Planning and Building Department office have recently kicked off the Tahoe El Dorado Area Plan that will include objective design standards for commercial and multifamily residential development within the County portion of the Tahoe Basin.

ALTERNATIVES

The Board may choose not to approve the proposed Agreement. This would result in delays to this project as well as other subsequent community design related projects detailed in the LRP Work Plan previously approved by the Board.

PRIOR BOARD ACTION

On December 5, 2017 (Legistar File 13-0561), the Board directed staff to develop and return with a proposed scope of work to create custom design guidelines/standards for commercial/multi-family residential development in the communities identified in General Plan Policy 2.1.1.1. prior to issuance of a Request for Proposal.

On July 17, 2018 (Legistar File 18-0984), the Board directed Planning and Building Staff to proceed with issuance of a Request for Proposals for Community Design Guidelines/Standards.

On December 4, 2018 (Legistar File 18-1834), the Board approved and endorsed a proposal from the De Novo Planning Group and authorized the Planning and Building Department to negotiate a three (3) year Agreement with a not-to-exceed amount of $250,000 to assist in Community Planning efforts in Shingle Springs, Cameron Park, Diamond Springs/El Dorado, and El Dorado Hills.

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On March 17, 2020 (Legistar File 20-0326), the Board approved and endorsed the Planning and Building Department, Long Range Planning (LRP), Project Prioritization Matrix for Fiscal Year (FY) 2020-21, which included the Commercial/Multi-Family Residential Design Standards project. As part of this item, the Board provided direction to staff under the Commercial/Multi-Family Residential Design Standards project to create custom design guidelines/standards for new commercial/multi-family development communities identified in County's General Plan Policy 2.1.1.1 (Cameron Park, El Dorado/Diamond Springs, El Dorado Hills, and Shingle Springs). The Commercial/Multi-Family Residential Design Standards project has been included on the following subsequent LRP Work Plans: 4/13/2021, File No. 21-0502; 6/28/2022, File No. 22-1101; 6/13/23, File No. 23-1059.

On February 1, 2022 (Legistar File 22-0093), the Board approved Agreement 5912 with Mintier Harnish to assist the County with creating custom design guidelines/standards for new Commercial/Multi-Family Residential Design Standards for communities identified in General Plan Policy 2.1.11 with a not-to-exceed amount of $306,615, and a term of three years upon execution.

OTHER DEPARTMENT / AGENCY INVOLVEMENT
County Counsel and Risk Management have approved the proposed Amendment.

CAO RECOMMENDATION
Approve as recommended.

FINANCIAL IMPACT
There is no change to Net County Cost associated with this item. Funding for this project has been included in the FY 2024-25 Approved Budget. Funding for services beyond FY 2024-25, will be included in subsequent budgets accordingly.

CLERK OF THE BOARD FOLLOW UP ACTIONS
1) The Clerk of the Board will obtain the Chair's signature on two (2) original copies of Amendment I; and
2) The Clerk of the Board will return one (1) fully executed original Amendment I to the Chief Administrative Office, Procurement and Contracts Division, for further processing.

STRATEGIC PLAN COMPONENT
N/A

CONTACT
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Planning and Building Department